

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON  
PORTLAND DIVISION

**JOSE LUIS TORRES ROJAS,**

Petitioner,

v.

**UNITED STATES OF AMERICA,**

Respondent.

No. 3:10-cr-00055-MO-1

OPINION AND ORDER

**MOSMAN, J.,**

Petitioner's motion to vacate or correct sentence under 28 U.S.C. § 2255 [137] is DENIED as untimely. It was filed on May 31, 2013. The last day on which it could have been timely filed under the AEDPA was November 9, 2012. *See* 28 U.S.C. § 2255(f); *Clay v. United States*, 537 U.S. 522, 527 (2003). No equitable tolling applies.

IT IS SO ORDERED.

DATED this 24th day of July, 2013.

/s/ Michael W. Mosman  
MICHAEL W. MOSMAN  
United States District Judge